

ESTTA Tracking number: **ESTTA647581**

Filing date: **12/30/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	MMO Life B.V.		
Entity	besloten vennootschap (b.v.)	Citizenship	The Netherlands
Address	Kenaupark 3 2011 MP Haarlem, NETHERLANDS		

Attorney information	Thomas J. Mango Cantor Colburn LLP 20 Church Street, 22nd Floor Hartford, CT 06103 UNITED STATES TMango@CantorColburn.com, EKoty@CantorColburn.com Phone:860-286-2929
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Applicant Information

Application No	86311911	Publication date	12/02/2014
Opposition Filing Date	12/30/2014	Opposition Period Ends	01/01/2015
Applicant	J THOMAS WHARTON, ESQ. c/o 100 N Central Expressway Suite 901 Richardson, TX 75080 UNITED STATES		

Goods/Services Affected by Opposition


Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Advertising and marketing services provided by means of indirect methods of marketing communications, namely, social media, search engine marketing, inquiry marketing, internet marketing, mobile marketing, blogging and other forms of passive, sharable or viral communications channels; Advertising services, namely, promoting and marketing the goods and services of others through all public communication means; Affiliate marketing; Development of marketing strategies, concepts and tactics, namely, audience development, brand awareness, customer relations, online community building and digital word of mouth communications; Online service for connecting social network users with retailers for the purpose of facilitating discounted purchases; Providing business information in the field of social media
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration	4451731	Application Date	06/16/2011
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No.			
Registration Date	12/17/2013	Foreign Priority Date	06/10/2011
Word Mark	IQU		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2011/06/01 First Use In Commerce: 2011/06/01 demonstration of products and services by electronic means and for the benefit of the so-called teleshopping and home shopping services; direct mail advertising services; promoting products and services of third parties, in particular, on-line games by providing incentive awards to users in the nature of online credits, namely, points that can be used to purchase various kinds of merchandise, including clothing, sunglasses, game consoles, game controllers, games, additional credits for purchasing higher levels within games and currency within a game that allows the player to purchase items such as weapons, costumes and emblems; placing advertisements within online games, all the aforementioned services relating to the gaming industry		

U.S. Registration No.	4456662	Application Date	06/16/2011
Registration Date	12/24/2013	Foreign Priority Date	06/10/2011
Word Mark	IQU		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2011/06/01 First Use In Commerce: 2011/06/01 Advertising; publicity services; management of commercial affairs; business administration; providing business information, via the Internet or otherwise; marketing services; compiling of statistics, via the Internet or otherwise; commercial information; market research and analysis, via the Internet or otherwise; business mediation, namely, mediation of agreements regarding the purchase, sale, import, export, supply of digital or online computer games; providing business		

	advice regarding the purchase, sale, import, export, supply of digital or online computer games, whether or not via the internet; business mediation and providing business advice regarding the purchase, sale, import, export, supply and provision of online computer games as well as so-called game portals; marketing; business process management and management of intellectual property portfolios consisting of digital or online game licenses and digital online gamer profiles; promoting products and services of third parties, in particular online games, by disseminating advertising via the internet using web-banners and widgets on third party websites; providing information and advice concerning commercial sales and sales promotion of online games; bringing together, for the benefit of third parties, of online games as well as a wide range of goods in the field of gaming, enabling customers to conveniently view and purchase these goods, including such services provided on-line or from a computer database; compilation of information into online computer databases; management of online computer databases, all the aforementioned services relating to the gaming industry
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Attachments	85348447#TMSN.png(bytes) 85976791#TMSN.png(bytes) Notice of Opposition.PDF(2438327 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Thomas J. Mango/
Name	Thomas J. Mango
Date	12/30/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Application Serial No.	86311911
Filed:	June 17, 2014
Mark:	IQUNITE
Published in the Official Gazette:	December 2, 2014

MMO LIFE B.V.,

Opposer,

v.

J THOMAS WHARTON, ESQ.,

Applicant.

Opposition No: _____

NOTICE OF OPPOSITION

In the matter of the United States Trademark Application No. 86311911 (the “Application”), filed on June 17, 2014, by J Thomas Wharton, Esq. (“Applicant”), for registration of the mark IQUNITE (“IQUNITE Mark”) for goods and services in International Class 35, and published in the United States Patent and Trademark Office’s (“USPTO”) Official Gazette on December 2, 2014, Opposer MMO Life B.V. believes it will be damaged by such registration, and hereby opposes the registration of the Application.

The grounds for the opposition are as follows:

A. Opposer MMO Life B.V.

1. Opposer MMO Life B.V. is a private limited liability company organized and existing under the laws of The Netherlands, with a principal place of business located at Kenaupark 3, 2011 MP Haarlem, The Netherlands. MMO Traffic B.V. is a division of MMO Life B.V. (collectively, “Opposer”).

2. Opposer provides mobile and online game marketing solutions for game developers and publishers. Opposer's experience, integrated solutions, and cross platform approach delivers high quality players and connects with premium sources of traffic and media, fueling global growth for game developers and publishers.

3. Opposer's serves advertisers, by providing marketing solutions that connect games with right audience to maximize campaign results, installs, and recoup, and media networks, publishers, and media buyers, by matching the game offers to increase revenues on their media and traffic.

4. Opposer launched in 2009 as a marketing technology platform that uses the knowledge of the gamers' behavior across the Internet, social media, mobile devices and more to match game advertisers and publishers in countries around the world and in the United States. Opposer has grown rapidly since its start in 2009, and today it has over 60 game advertisers and over 100 games in its portfolio.

5. Opposer owns both common law and federally-registered rights to its well-known trademark IQU ("IQU Mark") used on and in connection with mobile and online game marketing solutions and related goods and services ("Opposer's Goods and Services"), and used in United States commerce since at least as early as 2011.

6. Opposer owns United States Trademark Registration No. 4451731 for IQU filed on June 16, 2011, and registered on December 17, 2013, covering "demonstration of products and services by electronic means and for the benefit of the so-called teleshopping and home shopping services; direct mail advertising services; promoting products and services of third parties, in particular, online games by providing incentive awards to users in the nature of online credits, namely, points that can be used to purchase various kinds of merchandise, including

clothing, sunglasses, game consoles, game controllers, games, additional credits for purchasing higher levels within games and currency within a game that allows the player to purchase items such as weapons, costumes and emblems; placing advertisements within online games, all the aforementioned services relating to the gaming industry” in Class 35, and with a first use date in commerce of June 1, 2011. *See* attached Exhibit A, showing a true and correct copy of a printout from the USPTO’s Trademark Status and Document Retrieval (“TSDR”) database.

7. Opposer owns United States Trademark Registration No. 4456662 for IQU filed on June 16, 2011, and registered on December 24, 2013, covering “Advertising; publicity services; management of commercial affairs; business administration; providing business information, via the Internet or otherwise; marketing services; compiling of statistics, via the Internet or otherwise; commercial information; market research and analysis, via the Internet or otherwise; business mediation, namely, mediation of agreements regarding the purchase, sale, import, export, supply of digital or online computer games; providing business advice regarding the purchase, sale, import, export, supply of digital or online computer games, whether or not via the internet; business mediation and providing business advice regarding the purchase, sale, import, export, supply and provision of online computer games as well as so-called game portals; marketing; business process management and management of intellectual property portfolios consisting of digital or online game licenses and digital online gamer profiles; promoting products and services of third parties, in particular online games, by disseminating advertising via the internet using web-banners and widgets on third party websites; providing information and advice concerning commercial sales and sales promotion of online games; bringing together, for the benefit of third parties, of online games as well as a wide range of goods in the field of gaming, enabling customers to conveniently view and purchase these goods, including such

services provided on-line or from a computer database; compilation of information into online computer databases; management of online computer databases, all the aforementioned services relating to the gaming industry” in Class 35, and with a first use date in commerce of June 1, 2011. *See* attached Exhibit B, showing a true and correct copy of a printout from the USPTO’s TSDR database.

8. The IQU Mark is prominently featured in Opposer’s advertising, marketing, and promotional materials for Opposer’s Goods and Services, and in connection with Opposer’s Goods and Services that are offered in the United States and on Opposer’s websites located at www.iqu.com and www.mmotraffic.com (“Opposer’s Websites”).

9. As a result of Opposer’s substantially exclusive and continuous use of the IQU Mark in connection with Opposer’s Goods and Services, and having expended considerable effort and expense in promoting Opposer’s Goods and Services associated with the IQU Mark, the IQU Mark and the goods and services bearing the IQU Mark have come to be recognized as associated with Opposer and the IQU Mark has developed substantial goodwill and a positive reputation among the industry, the trade, the media, and consumers. The IQU Mark has become one of Opposer’s most valuable assets.

10. The IQU Mark distinguishes Opposer’s Goods and Services from those of its competitors. As a result, relevant consumers readily recognize, associate, identify, and distinguish the IQU Mark and Opposer’s Goods and Services from those of others.

11. Opposer, the IQU Mark, and Opposer’s Goods and Services are recognized throughout the United States by consumers. For example, Opposer’s official Facebook page for the IQU Mark, accessible at <https://www.facebook.com/iqugroup>, has attracted over 1,700 “likes,” and the top-ranked results of a Google keyword search for “IQU” are related to the

Opposer, the Opposer's Websites, the IQU Mark, and Opposer's Goods and Services. *See* attached Exhibit C, showing a true and correct copy of Opposer's current official Facebook page for the IQU Mark, and attached Exhibit D, showing a true and correct copy of the first page of results from a current Google keyword search for "IQU".

12. Opposer, the IQU Mark, and Opposer's Goods and Services have been the subject of widespread attention from media and the public, and have been frequently featured in third-party news articles and in other media.

B. Applicant J Thomas Wharton, Esq.

13. On information and belief, Applicant is an individual with an address at 100 North Central Expressway, Suite 901, Richardson, Texas 75080.

14. Applicant has no relationship with Opposer.

15. On or about June 17, 2014, Applicant filed the Application (Serial No. 86311911).

16. As published, the Application covers "Advertising and marketing services provided by means of indirect methods of marketing communications, namely, social media, search engine marketing, inquiry marketing, internet marketing, mobile marketing, blogging and other forms of passive, sharable or viral communications channels; Advertising services, namely, promoting and marketing the goods and services of others through all public communication means; Affiliate marketing; Development of marketing strategies, concepts and tactics, namely, audience development, brand awareness, customer relations, online community building and digital word of mouth communications; Online service for connecting social network users with retailers for the purpose of facilitating discounted purchases; Providing business information in the field of social media" in Class 35.

17. The Application was filed on Intent-to-Use basis under Section 1(b) of the Lanham Act, 15 U.S.C. §1051(b), and remains based on Intent-To-Use as of the date of the filing of this opposition.

18. The Application was filed without Opposer's authorization, consent, or prior knowledge.

19. The IQU Mark, including Opposer's common law rights, predates the Application and any claimed rights by Applicant in the Application. Opposer therefore has rights that are senior to any rights that may be claimed by Applicant.

C. Opposer's Claims Against the Application

COUNT I
LIKELIHOOD OF CONFUSION

20. Opposer incorporates paragraphs 1-19 by reference and realleges the same as if set forth herein.

21. There is a likelihood of confusion between the IQU Mark and the Opposer's Goods and Services, and the IQUNITE Mark and the goods and services Applicant intends to offer under the IQUNITE Mark.

22. In particular, Applicant incorporates the entire IQU Mark into the IQUNITE Mark. Therefore, the IQUNITE Mark is confusingly similar to the IQU Mark.

23. Further, Applicant intends to use the IQUNITE Mark in connection with goods and services that are identical and substantially related to the Opposer's Goods and Services offered in connection with the IQU Mark, targeted to the same class of consumers as Opposer's Goods and Services, move within the same channels of trade as Opposer's Goods and Services, and/or are likely to be associated by consumers with Opposer.

24. As a result, any minor differences between the marks, such as additional letters in the IQUNITE Mark, do not avoid a likelihood of confusion.

25. Given the filing date of the Application, Applicant was clearly exposed to and aware of the Opposer and the IQU Mark before filing the Application. Applicant's selection of a mark that is confusingly similar to the IQU Mark was no coincidence, and was intended to trade off of the substantial reputation and goodwill of the IQU Mark.

26. As a result of the similarity between the IQUNITE Mark and the IQU Mark and the respective goods and services, registration of the IQUNITE Mark would be likely to cause confusion, mistake, and/or deception of purchasers as to the source of the parties' respective goods and services, and, therefore, registration of the IQUNITE Mark should be refused.

27. As a result of the similarity between the IQUNITE Mark and the IQU Mark, registration of the IQUNITE Mark would be likely to cause confusion, mistake, and/or deception as to (a) the affiliation, connection, or association between Opposer and Applicant, and/or (b) the origin, sponsorship, or approval of the Applicant's goods and services by Opposer, and, therefore, registration of the IQUNITE Mark should be refused.

28. By reason of the foregoing, Opposer is likely to be harmed by registration of Application Serial No. 86311911 for IQUNITE.

WHEREFORE, Opposer MMO Life B.V. respectfully requests that the Trademark Trial and Appeal Board sustain this opposition and refuse registration for United States Trademark Application Serial No. 86311911.

Respectfully submitted,

MMO Life B.V.

Dated: December 30, 2014

By: /Thomas J. Mango/
Thomas J. Mango, Esq.
Cantor Colburn LLP
20 Church Street, 22nd Floor
Hartford, CT 06103-3207
Phone: 860-286-2929
Fax: 860-286-0115
tmango@cantorcolburn.com

Attorneys for MMO Life B.V.

CERTIFICATE OF SERVICE

I, Thomas J. Mango, Esq., counsel to MMO Life B.V. in the above-captioned proceeding, hereby certify that, on the 30th of December 2014, I served a copy of the foregoing Notice of Opposition, by first class mail, postage prepaid, upon the following entity, identified in the Application as the owner and correspondent:

J Thomas Wharton, Esq.
100 North Central Expressway, Suite 901
Richardson, Texas 75080

/Thomas J. Mango/
Thomas J. Mango, Esq.

EXHIBIT A

Generated on: This page was generated by TSDR on 2014-12-16 12:19:05 EST

Mark: IQU

IQU

US Serial Number: 85348447 Application Filing Date: Jun. 16, 2011
US Registration Number: 4451731 Registration Date: Dec. 17, 2013
Register: Principal
Mark Type: Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Dec. 17, 2013
Publication Date: Apr. 23, 2013 Notice of Allowance Date: Jun. 18, 2013

Mark Information

Mark Literal Elements: IQU
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 85976791
Parent Of: 85976791

Foreign Information

Priority Claimed: Yes
Foreign Application Number: 1227089 Foreign Application Filing Date: Jun. 10, 2011
Foreign Application/Registration Country: BENELUX

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: demonstration of products and services by electronic means and for the benefit of the so-called teleshopping and home shopping services; direct mail advertising services; promoting products and services of third parties, in particular, online games by providing incentive awards to users in the nature of online credits, namely, points that can be used to purchase various kinds of merchandise, including clothing, sunglasses, game consoles, game controllers, games, additional credits for purchasing higher levels within games and currency within a game that allows the player to purchase items such as weapons, costumes and emblems; placing advertisements within online games, all the aforementioned services relating to the gaming industry

International Class(es): 035 - Primary Class U.S Class(es): 100, 101, 102
Class Status: ACTIVE
Basis: 1(a)
First Use: Jun. 01, 2011 Use in Commerce: Jun. 01, 2011

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: Yes	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: MMO Life B.V.

Owner Address: Kenaupark 3
2011 MP HAARLEM
NETHERLANDS

Legal Entity Type: besloten vennootschap (b.v.)

State or Country Where Organized: NETHERLANDS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: William J. Seiter

Attorney Primary Email Address: williamjseiter@seiterlegalstudio.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: William J. Seiter
Seiter Legal Studio
2500 Broadway, Bldg F, Suite F-125
Santa Monica, CALIFORNIA 90404
UNITED STATES

Correspondent e-mail: williamjseiter@seiterlegalstudio.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: William J. Seiter

Domestic Representative e-mail: williamjseiter@seiterlegalstudio.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Dec. 17, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 13, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 12, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	66121
Nov. 07, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 04, 2013	ASSIGNED TO EXAMINER	76079
Oct. 24, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
Oct. 15, 2013	USE AMENDMENT FILED	65362
Oct. 15, 2013	TEAS STATEMENT OF USE RECEIVED	
Oct. 07, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 07, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 18, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 23, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 23, 2013	PUBLISHED FOR OPPOSITION	
Apr. 03, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 15, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Mar. 12, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 11, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 11, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 11, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 11, 2013	EXAMINERS AMENDMENT -WRITTEN	83171
Nov. 29, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Nov. 29, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 17, 2012	NOTIFICATION OF SUBSEQUENT FINAL EMAILED	
Sep. 17, 2012	SUBSEQUENT FINAL EMAILED	
Sep. 17, 2012	SUBSEQUENT FINAL REFUSAL WRITTEN	83171

Jun. 14, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jun. 14, 2012	FINAL REFUSAL E-MAILED	
Jun. 14, 2012	FINAL REFUSAL WRITTEN	83171
May 17, 2012	DIVISIONAL PROCESSING COMPLETE	
Mar. 27, 2012	DIVISIONAL REQUEST RECEIVED	
May 16, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Apr. 12, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Apr. 12, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Apr. 06, 2012	ASSIGNED TO LIE	66121
Mar. 27, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 27, 2012	TEAS REQUEST TO DIVIDE RECEIVED	
Sep. 29, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 29, 2011	NON-FINAL ACTION E-MAILED	6325
Sep. 29, 2011	NON-FINAL ACTION WRITTEN	83171
Sep. 27, 2011	ASSIGNED TO EXAMINER	83171
Jun. 23, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 20, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 12, 2013

EXHIBIT B

Generated on: This page was generated by TSDR on 2014-12-16 12:20:16 EST

Mark: IQU

IQU

US Serial Number: 85976791

Application Filing Date: Jun. 16, 2011

US Registration Number: 4456662

Registration Date: Dec. 24, 2013

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Dec. 24, 2013

Publication Date: Feb. 19, 2013

Notice of Allowance Date: Apr. 16, 2013

Mark Information

Mark Literal Elements: IQU

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US 85348447

Registrations:

Child Of: 85348447

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1227089

Foreign Application Filing Date: Jun. 10, 2011

Foreign Application/Registration Country: BENELUX

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Advertising; publicity services; management of commercial affairs; business administration; providing business information, via the Internet or otherwise; marketing services; compiling of statistics, via the Internet or otherwise; commercial information; market research and analysis, via the Internet or otherwise; business mediation, namely, mediation of agreements regarding the purchase, sale, import, export, supply of digital or online computer games; providing business advice regarding the purchase, sale, import, export, supply of digital or online computer games, whether or not via the internet; business mediation and providing business advice regarding the purchase, sale, import, export, supply and provision of online computer games as well as so-called game portals; marketing; business process management and management of intellectual property portfolios consisting of digital or online game licenses and digital online gamer profiles; promoting products and services of third parties, in particular online games, by disseminating advertising via the internet using web-banners and widgets on third party websites; providing information and advice concerning commercial sales and sales promotion of online games; bringing together, for the benefit of third parties, of online games as well as a wide range of goods in the field of gaming, enabling customers to conveniently view and purchase these goods, including such services provided on-line or from a computer database; compilation of information into online computer databases; management of online computer databases, all the aforementioned services relating to the gaming industry

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2011

Use in Commerce: Jun. 01, 2011

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: Yes

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MMO Life B.V.

Owner Address: Kenaupark 3
2011 MP HAARLEM
NETHERLANDS

Legal Entity Type: besloten vennootschap (b.v.)

State or Country Where
Organized: NETHERLANDS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: William J. Seiter

Attorney Primary Email Address: williamjseiter@seiterlegalstudio.comAttorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: William J. Seiter
Seiter Legal Studio
2500 Broadway, Bldg F, Suite F-125
Santa Monica, CALIFORNIA 90404
UNITED STATESCorrespondent e-mail: williamjseiter@seiterlegalstudio.comCorrespondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative Name: William J. Seiter

Domestic Representative e-mail: williamjseiter@seiterlegalstudio.comDomestic Representative Yes
e-mail Authorized:

Prosecution History

Date	Description	Proceeding Number
Dec. 24, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 19, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 18, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	69712
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Nov. 04, 2013	ASSIGNED TO EXAMINER	76079
Oct. 24, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
Oct. 15, 2013	USE AMENDMENT FILED	65362
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Oct. 07, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 16, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 19, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 19, 2013	PUBLISHED FOR OPPOSITION	
Jan. 30, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 15, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Jan. 10, 2013	EXPARTE APPEAL TERMINATED	976791
Jan. 09, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	69712
Dec. 19, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	69712
Dec. 19, 2012	ASSIGNED TO LIE	69712
Dec. 11, 2012	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 11, 2012	EX PARTE APPEAL-INSTITUTED	976791

Dec. 11, 2012	JURISDICTION RESTORED TO EXAMINING ATTORNEY	976791
Dec. 11, 2012	EXPARTE APPEAL RECEIVED AT TTAB	
Nov. 29, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
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Jun. 14, 2012	FINAL REFUSAL WRITTEN	83171
May 17, 2012	DIVISIONAL PROCESSING COMPLETE	
Mar. 27, 2012	DIVISIONAL REQUEST RECEIVED	
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Sep. 29, 2011	NON-FINAL ACTION WRITTEN	83171
Sep. 27, 2011	ASSIGNED TO EXAMINER	83171
Jun. 23, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 20, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 18, 2013

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Exparte Appeal

Proceeding Number: [85976791](#)

Filing Date: Dec 11, 2012

Status: Terminated

Status Date: Jan 10, 2013

Interlocutory Attorney:

Plaintiff(s)

Name: MMO Life B.V.

Correspondent Address: MARY CATHERINE MERZ
MERZ & ASSOCIATES PC
1010 LAKE STREET, SUITE 400
OAK PARK IL , 60301-1135
UNITED STATES

Correspondent e-mail: docket@merz-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IQU	Registered	85976791	4456662

Prosecution History

Entry Number	History Text	Date	Due Date
1	APPEAL TO BOARD	Dec 11, 2012	
2	Appeal Acknowledged; Case Remanded	Dec 11, 2012	
3	INSTITUTED	Dec 11, 2012	
4	REQUEST FOR RECONSIDERATION	Dec 11, 2012	

EXHIBIT C



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